



COMMONWEALTH of VIRGINIA
Office of the Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: Lisa Hahn
Executive Director
Virginia Board of Funeral Directors and Embalmers

FROM: Erin L. Barrett
Assistant Attorney General

DATE: June 3, 2014

SUBJECT: *Regulations of the Board of Funeral Directors and Embalmers*
18VAC65-20

I have reviewed the amendment to the Regulations of the Board of Funeral Directors and Embalmers, 18VAC65-20, which has been submitted as an exempt action. The proposed amendment to 18VAC65-20-436, which deletes obsolete cremation authorization requirements and inserts a reference to new requirements in Virginia Code § 54.1-2818.1, is exempt in accordance with Virginia Code § 2.2-4006(A)(4)(a). That section of the Virginia Administrative Process Act provides an exemption for regulations that are “[n]ecessary to conform to changes in Virginia statutory law . . . where no agency discretion is involved.” Va. Code § 2.2-4006(A)(4)(a). The Board has the statutory authority to amend this Regulation under Virginia Code § 54.1-2400. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.

